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countries, then the question may be left to a commission of inquiry to determine whether it is justiciable. That commission of inquiry can make no decision that has any greater binding force or sanction than would be true in case there is no dispute about their arbitrable quality. The provision for a commission, too, gives the opportunity for a comparison of views, for argument, and for delay, if necessary, for the interposition of diplomacy to see if the question can be settled, and then the question is left again to the Senate.

Mr. REED: Mr. President—

The VICE-PRESIDENT: Does the Senator from Ohio yield further to the Senator from Missouri?

Mr. BURTON: I very much regret that I have only a few moments more, but if the question is very brief—

Mr. REED: It is just a brief question.

Mr. BURTON: Very well.

Mr. REED: Suppose that during that year of delay, when our hands are absolutely tied, some foreign country was fortifying a position it had obtained in South America, would the Senator be willing that we should have our hands tied for that year of time?

Mr. BURTON: Our hands would not be tied in the slightest degree.

Mr. REED: How would we avoid it?

Mr. BURTON: One of the things most carefully provided for in The Hague convention is that the delay necessary for a decision shall not prevent the mobilization of troops and shall not prevent preparation for war. Nothing in these treaties forbids preparation for war. The Senator from Missouri, I think, if he reads them, will agree with me in the conclusion that it does not mean anything of the kind.

Then there has been a certain amount of discussion here in good faith as to the rights of the Senate. In either case, whether the question comes to us from the Executive department or from this commission of inquiry, there is a moral obligation not to refuse arbitration in a proper case. We cannot carelessly or under the dictates of selfishness or a disposition for national aggrandizement refuse to arbitrate. We must exercise good faith and honor. The legal right does exist to refuse to ratify an agreement, whether it comes to us as the result of a finding that it is justiciable under article 3 or under article 1. Under either article there is a recognition of the fact that the Senate of the United States is a part of the treaty-making power. But the treaty recognizes the further fact that these are arbitration treaties whose provisions are not to be disregarded. We have already entered into engagements of the same character.

It has been said here that England would be at a great disadvantage, as England does not have a chance to refer the question to a senate. I have no fear but the English government will take care of itself; but there is a very substantial concession made here to the United Kingdom of Great Britain and Ireland in that self-governing colonies may consider propositions pertaining to them. Their consent is required as well as the ratification of the Senate.

Mr. President, what is the gain of ratifying these treaties? The greatest credit is due to the late administration of President Roosevelt and to the then Secretary of State, Mr. Root, for negotiating and securing the ratification of the treaties of 1908 with a number of

nations. They went to the high-water mark that was possible at that time; they made a great advance; but all those treaties contained certain exceptions—honor, vital interests, independence, and questions in which the interests of third parties are concerned. Two of those expressions—"honor and vital interests"—are so vague, so non-susceptible of definition that so long as they appear in a treaty we can have no certainty of beneficial or salutary results. This treaty establishes a standard which is the only correct one, a standard under which arbitration may assume increasing importance as peace and goodwill increase and international jurisprudence includes a larger number of questions, the standard of justiciability, of right between nation and nation the same as between man and man. Constant friction and irritation would arise if the treaty made exceptions of questions of honor, vital interests, and questions involving third parties. Either nation might hide behind the vagueness and indefiniteness of those words. The words of the pending treaties have not received absolute definition—the Senate would have a right to decide whether a question was justiciable—but they are based on the right principle for the growth of peace among nations. For that reason, Mr. President, I urge their ratification. Furthermore, to reject these treaties today and place ourselves in the position of rejecting the advances of other nations would be to put ourselves out of line with that great march of progress toward a better day of amity and goodwill, in which in the past we have borne so prominent a part.

An Anthropologist's View of War.*

By Franz Boas, Professor of Anthropology in
Columbia University.

In the early days of mankind, our earth was thinly settled. Small groups of human beings were scattered here and there; the members of each horde were one in speech, one in customs, one in superstitious beliefs. From place to place they roamed, following the game that furnished their subsistence, or digging roots and picking the fruits of trees and bushes to allay the pangs of hunger. They were held together by the strong bands of habit. The gain of one member of the horde was the gain of the whole group, the loss and harm done to one, was loss and harm to the whole social group. No one had interests at stake that were not also the interests of his fellows.

Beyond the limits of the hunting grounds lived other groups, different in speech, different in customs, perhaps even different in appearance, whose very existence was a source of danger. They preyed upon the game, they threatened inroads upon the harvest of roots and fruits. They acted in a different manner; their reasoning and feeling were unintelligible; they had no part in the interests of the horde. Thus they stood opposed to it as beings of another kind, with whom there could be no community of interest. To harm them, if possible to annihilate them, was a self-evident act of self-preservation.

Thus the most primitive form of society presents to

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us the picture of continuous strife. The hand of each member of one horde was raised against each member of all other hordes. Always on the alert to protect himself and his kindred, man considered it an act of high merit to kill the stranger.

Human inventions improved. The herd of hunters learned the art of better providing for its needs. The people learned how to store up food and thus to provide for the future. With the greater regularity of the food supply and a decreased frequency of periods of starvation the number of members in the community increased. Weaker hordes, who still followed the older methods of hunting and food gathering, were exterminated or, profiting by the example of their neighbors, learned their new arts and also increased in numbers. Thus the groups that felt a solidarity among themselves became larger and by the extermination of small, isolated hordes, that remained in more primitive conditions, the total number of groups that stood opposed to one another became gradually less.

DEVELOPMENT OF LARGER UNITS.

We do not venture to trace with any degree of certainty the steps by which the homogeneous groups became diversified, or by which the opposing groups came into closer contact. We can imagine that the widows and daughters of the slain, who became a welcome prey to the victors, established in time kindlier relations between their new masters and their kin; we may imagine that the economic advantages of peacefully acquiring the coveted property of neighbors rather than taking it by main force added their share to establishing kindlier relations; we may attribute an important influence to the weakening of old bonds of unity due to the gradual dispersion of the increasing number of members of the community. No matter how the next steps in political development happened, we see that, with increasing economic complexity, the hostility between the groups becomes less. If it was right before to slay every one outside of the small horde, we find now tribes that have a limited community of interests, that, under normal conditions live at peace, although enmities may spring up at slight provocation. The group that lives normally at peace has much increased in size, and while the feeling of solidarity may have decreased, its scope has become immensely wider.

DISAPPEARING GROUPS.

We may give a few examples of these conditions among the primitive members of mankind. The Bushmen of South Africa are a people that is being exterminated, because everybody's hand is raised against them, and theirs against everybody. Among the tribes of more advanced type of culture that surround them, their small bands are being annihilated. They feel themselves a group different from the rest of the world, and for them there is no place in the life of their neighbors. So a bitter war has been waged for centuries and is on the point of ending with the extinction of the Bushmen. Similar conditions prevail in parts of South America, where the hunting Indian is outlawed like the wild South African.

Not so in more advanced types of society. Notwithstanding the cruel wars between the natives of our northern continent, there had been laid the germs of larger political units among which peace normally

reigned. The fierce Iroquois created a desert around them, but in their midst developed a large industrious community. The Zulu of South Africa, the terror of the country, formed a unit infinitely larger than any of those that existed before.

This process of enlargement of political units and the reduction of the number of those that were naturally at war with one another began in the earliest times, and has continued without interruption, almost always in the same direction. Even though hostilities have broken out frequently between parts of what had come to be a large political unit, the tendency of unification has in the long run been more powerful than that of disintegration. We see the powers at work in antiquity, when the urban states of Greece and of Italy were gradually welded into larger wholes; we see it again at work after the breaking up of ancient society in the development of new states from the fragments of the old ones; and later on in the disappearance of the small feudal states.

PRESENT CONDITIONS.

In the nations of our days in which law rules supreme, we find the greatest numbers of people united in political units that the world has seen. Here war is excluded, because all members are subject to the same law, and excessive strains in the community, that lead to internal bloodshed, have decreased in numbers, although perhaps not in violence, among those nations in which the whole masses of the people enjoy somewhat equal advantages of education.

Thus the history of mankind shows us the grand spectacle of the grouping of man in units of ever increasing size that live together in peace, and that are ready to go to war only with other groups outside of their own limits. Notwithstanding all temporary revolutions and the shattering of larger units for the time being, the progress in the direction of unification has been so regular and so marked that we must needs conclude that the tendencies which have swayed this development in the past will govern our history in the future. The concept of nationalities of the size of our modern nations would have been just as inconceivable in early times of the history of mankind, as appears now the concept of unity of interests of all the peoples of the world, or at least of all those who share the same type of civilization and are subject to the same economical conditions. The historical development shows, however, that such a feeling of opposition of one group toward another is solely an expression of existing conditions, and does not by any means indicate permanence of these conditions.

POSSIBILITY OF FURTHER EXTENSION.

The practical difficulties that seem to stand in the way of the formation of still larger units count for naught before the inexorable laws of history. The reasons that have kept political units apart are manifold, but none of them have resisted the attacks of changing conditions. In modern times that abhorrence of members of a strange horde which sprang from the idea that they are specifically different is on the point of vanishing. We still find it in the so-called race instincts of the whites, as opposed to the negro and Asiatic, and in the anti-Semitic movement, but in most of these cases rather as an element of internal strife

than as one that leads to war. It is still active in the wars of extermination that are waged against primitive tribes, but these are nearly at an end, owing to the approaching extinction of the weakest tribes. In course of time differences in customs and beliefs, differences in form of government and social structure, devotion to ruling dynasty, community of economic interests, sameness of language, have been held as causes that separate distinct communities and compel them to take hostile attitudes toward one another.

Thus it appears that it is not any rational cause that forms opposing groups, but solely the emotional value of an idea that holds together the members of each group and exalts their feeling of solidarity and greatness to such an extent that compromises with other groups become impossible. In this mental attitude we may readily recognize the survival of the feeling of specific differences between the hordes, transferred in part from the feeling of physical differences to that of mental differences. The modern enthusiasm for the superiority of the so-called "Aryan Race," of the "Teutonic Race," the Pan-German and Pan-Slavish ideals can only be understood in this light. It is the old feeling of specific differences between social groups in a new disguise.

It is easy to show that this feeling is not based on any real racial or other relationship, but that it is merely an expression of a strong emotion that is connected with a vague idea of supposed relationship.

RACE RELATIONSHIPS.

Recent investigations of anthropologists have demonstrated that no such thing as an "Aryan Race" exists, but that the people of Europe are related by descent, no matter what language they speak; and that Finns, Hungarians, Turks, and Basques must be included in the family of the European race. Still less can any of the existing nations of Europe claim a homogeneous descent. The North French are quite different in appearance from the Central French, and then again from the South French; while the North French resemble the inhabitants of parts of northern Germany, the Central French those of southern Germany. The Germans east of the Elbe are largely descendants of a Slavic people whom they still resemble in appearance. In Great Britain the Welsh are different from the English, and parts of Scotland and Ireland present well-marked characteristics. The same is true of Italy, where great differences in appearance are found between the inhabitants of the northern and of the southern provinces. And how great is the heterogeneity of descent of the people of the United States, whose ancestors will embrace more and more all the nationalities of Europe. Students of anthropology are unanimous in discarding the idea of the unity of descent of each nation and of the pride in the purity of descent of any one particular type, which gives to the individuals representing that type the right to place themselves on a plane high over that occupied by all other members of mankind. The lack of an objective basis of unity becomes clearest when the inter-relationship of all blondes or of all the brunettes is claimed, which is obviously not accompanied by any true feeling of kinship.

THE BONDS OF LANGUAGE.

It seems, however, that in our present period community of language is a strong bond that holds nations

together. It is, however, not very long that the bonds of language have been felt so intensely. Language establishes a basis of mutual understanding on which a community of interests may arise. The pleasure of hearing one's own tongue spoken in a foreign country creates at once between its speakers a feeling of comradeship that is quite real, and in proportion to the smallness of the number of speakers of the idiom. The necessity of easy communication between the members of one nation has also led generally to the endeavor to make one language the ruling language throughout the whole state. When there is a great difference of languages, as in Austria, the national unity seems to us feeble. One of the few exceptions in which language is not the controlling bond of the members of a nationality is Switzerland.

Nevertheless, we may recognize that unity of language is also more an ideal than a real bond; not only that divergence of dialects makes communication difficult, but community of thought among the members of different social classes is also so slight that no communication of deeper thought and feeling is possible. The Provençal and the North French, the Bavarian and the Westphalian peasant, the Sicilian and the Florentine are hopelessly divided, owing to differences of language; and the educated Italians, Frenchmen, Englishmen, and Germans have more in common than each has with the uneducated classes of his own community.

Thus it appears that the feeling of solidarity among the members of each nation is not based by any means on objective traits common to all of them—although the manner of thinking and living may impose certain mental forms upon each community—but upon subjective ideals that possess a strong emotional value. From primitive times on such ideals have existed, but in ever-changing form. Now one idea has been the center of public sentiment, then another. With them the political groupings of mankind have changed. All have had the power to create passions that have led each community to defend what it believed to be ideal against foreign attacks, or even indorsed the attempt to force it upon the unwilling neighbors.

CONCLUSIONS.

Thus the study of all types of people, primitive as well as advanced, shows two peculiar traits: the one the constant increase in size of the social units that believe in the same ideal; the other the constant variation of these ideals. Thus we are led to the important conclusion that neither the belief is justified that the modern nations represent the largest attainable social units, nor the other that the ideals of the present groups—and with them the groups—will be permanent.

Most important of all, if we understand that the feeling of opposition to the stranger, which accompanies the feeling of solidarity of the nation, is the survival of the primitive feeling of specific differences, we are brought clearly face to face with those forces that will ultimately abolish warfare as well as legislative conflicts between nations; that will put an end not only to the wholesale slaughter of those representing a distinct ideal, but also prevent the passage of laws that favor the members of one nation at the expense of all other members of mankind.